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IN THE UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF INDIANA
SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
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FILED
U.S. DISTRICT COURT
INDIANAPOLIS DIVISION

2013 MAY -6 PM 4:29

)
DALE RUSSELL,)
Petitioner,) CRIM. CASE NO:
) 1:08-cr-00004-SEB-KPF
V.)
) CIVIL CASE NO:
UNITED STATES OF AMERICA,) 1:13-cv-0538-SEB-DKL
Respondent.)

MOTION TO WAIVE FILING FEE

COMES NOW the Petitioner, Dale Russell, pro se, and files this Motion to waive the \$5.00 filing fee for his § 2255 petition and, in support of this Motion, states the following:

1. This Court issued an Order to Show Cause on April 11, 2013, ruling, inter alia, that the Petitioner must pay a \$5.00 filing fee or demonstrate his inability to do so.
2. The Petitioner is currently incarcerated at the United States Penitentiary in Tucson, Arizona.
3. The Petitioner has no assets of any type.
4. The Petitioner is employed by the prison and makes an average of \$13.60 per month.

5. Medical and health expenses completely exhaust the Petitioner's insufficient income.

6. The Petitioner was previously granted leave to proceed in forma pauperis by this court as well as by the Seventh Circuit Court of Appeals and the Supreme Court.

7. No financial facts have changed since the previous granting of in forma pauperis status.

8. The Petitioner is unable to pay the \$5.00 filing fee for his § 2255 petition.

WHEREFORE, based on the above-stated reasons, the Petitioner hereby asks this court to waive the \$5.00 filing fee for his § 2255 petition and for any further relief deemed proper by this court.

I, Dale Russell, declare under the penalty of perjury that the foregoing is true and correct and respectfully submitted on this 30th day of April, 2013.

Dale Russell

Dale Russell, 56938-112

USP Tucson

PO Box 24550

Tucson, Arizona 85734